



LEGISLATIVE COMMITTEE CONSIDERS WHITE-WHEELER BILL

The NAB Legislative Committee was in session throughout Monday (29) and Tuesday (30) to consider provisions contained in the revamped White-Wheeler Radio Bill. The committee discussed the proposed revised bill, section by section. They prepared their observations, comments and recommendations and submitted them in a report to the members of the Senate Interstate Commerce Committee. The complete text of the Bill, together with the Legislative Committee's comments and observations, are reprinted in a Special Legislative Bulletin, mailed with this week's issue of the NAB REPORTS.

On Wednesday (31) the NAB Legislative Committee adopted a resolution that Don Elias as Chairman of the Legislative Committee is directed and authorized by it to take such steps as he believes advisable to expedite desirable legislation, and that J. Harold Ryan, as President of NAB, is directed to take whatever action he deems wise, either in concert with Mr. Elias, or independently of his action.

ASSIGNED ANNOUNCER FEE PRINCIPLE OPPOSED

President Harold Ryan on Monday (May 29) sent a letter to the War Labor Board expressing opposition to the principle of assigned commercial fees as demanded by the American Federation of Radio Artists in the case of the Evening Star Broadcasting Company (WMAL) and the American Federation of Radio Artists. This case is now pending before the Board for a review of the Report and Recommendations of the Hearing Officer. (See NAB REPORTS page 136).

Mr. Ryan was advised that the rules of the War Labor

Board provide no procedure whereby NAB could be permitted to file on behalf of the industry comments to the Hearing Officer's Report. He stated that nevertheless he felt that as President he should communicate to the War Labor Board information that the NAB Board of Directors, at a recent meeting, had expressed unanimous opposition to the principle of fees being paid to assigned commercial announcers.

Amplifying his letter to the Board, Mr. Ryan said, "The National Association of Broadcasters, representing broadcasting stations of all types and sizes in communities large and small, throughout the United States, feels that despite any efforts made by the Board to localize the effect of any decision it may make in the case, it would have industry-wide implications." He pointed out that staff announcers are essential to the conduct of every radio broadcasting station, that they are hired on the basis of their ability to handle commercial announcements, as well as sustaining programs. "Their ability to perform these services efficiently," he said, "is reflected in the base wage paid. In the conduct of the business of radio broadcasting many sponsors are not concerned with the particular announcers who are assigned to read their commercial, leaving to station management the choice of the announcer."

He further pointed out that the station management, where no announcer is selected by a sponsor, assigns the announcer on duty to read the commercial copy. He made a distinction between announcers thus assigned by the station management and those chosen or selected by the sponsor. In the latter case the sponsor is usually willing to pay an added fee or bonus for the privilege of selecting his announcer. In the former case, that of assigned commercial announcers, the announcer is merely assigned to read the commercial as part of his regular duties as a member of the announcing staff.

Mr. Ryan further stated, "If the War Labor Board should sustain the principle of requiring a station to pay a special fee to an announcer who is regularly employed upon the announcing staff and assigned as a part of his contractual duty to read a commercial it is obvious that it will have far-reaching effects upon the employer-employee relationship. In many operations it will ultimately have the effect of destroying the control of station managers over staff announcers.

"The endorsement by the War Labor Board of the principle of fees for assigned commercial announcers as distinguished from selected commercial announcers would have the inevitable effect of removing control over announcers from the hands of station management to that of sponsor. We want to make it clear," continued Mr. Ryan, "that there is no effort to resist the payment of fair wages to announcers based upon ability. The point here involved is the question of method of payment."

The case is now pending before the War Labor Board and decision is shortly expected.

IMPORTANT SPECIAL BULLETINS

With this issue of the REPORTS, Special Legislative and Music Bulletins are being mailed. The Legislative Bulletin contains the complete text of the revised White-Wheeler Bill and the comments and observations of the NAB Legislative Committee.

The Special Music Bulletin contains the comments and observations of the Music Committee upon the reply received from John Paine of ASCAP with respect to ASCAP's interpretation of per-program contracts. Both of these Bulletins contain information of vital importance to all broadcasters.

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of War Activities*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

CHANGE IN TRANSCRIPTION RULE NOT YET EFFECTIVE

The Federal Communications Commission points out that there has been an apparent misunderstanding on the part of some broadcasters as to the effective date of the Commission's *proposed* amendment to Section 3.407 of its Rules, relaxing the requirements of identifying announcements for transcribed radio programs. The Commission has issued the following statement:

"On May 16, 1944, the Federal Communications Commission in Order 120 *proposed* an amendment to Section 3.407 of its Rules and Regulations governing announcements of transcription. At the same time, the Commission invited interested persons to file statements or briefs on or before June 16, 1944, setting forth why the amendment should not be adopted or why it should not be adopted in the form proposed. No final action will be taken by the Commission on the proposal until after June 16.

"Therefore, pending final action by the Commission, Section 3.407 of the Rules and Regulations, as presently constituted, continues in effect."

The complete text of Order No. 120 was published in the NAB REPORTS of May 19 (page 159-160). Any broadcaster desiring to make an expression of his views upon the matter to the Commission should communicate direct with the Secretary before June 16. NAB would be pleased to receive copies of any statements filed in order that the presentation may be coordinated.

WAGE STABILIZATION EXTENDED—SMALL STATIONS INCLUDED

The National War Labor Board, acting upon the recommendation of the Regional War Labor Board for the 12th Region, which includes the States of Oregon and Washington, has announced an amendment to General Order No. 4.

Section (a) of General Order No. 4 reads in part as follows:

"(a) Wage adjustments made by employers who at the time the adjustment is agreed to or if not made by agreement, by the time it is placed into effect, employ a total of not more than 8 individuals * * * are exempted from the provisions * * *" of the Wage Stabilization Order.

The exception as to Oregon and Washington broadcasters contained in the recent action will subject radio broadcasters employing less than 8 to the provisions of the Wage Stabilization Order. Any Oregon or Washington broadcaster desiring more complete information is requested to communicate with headquarters.

SMALL MARKET STATIONS COMMITTEE MEETS WITH CHAIRMAN FLY OF FCC

During its two-day meeting at NAB headquarters on May 22 and 23 (see pages 167 and 168 of May 26 issue of

NAB REPORTS), the Small Market Stations Committee met Tuesday morning with James Lawrence Fly, Chairman of the Federal Communications Commission.

In a general discussion at the outset of the interview, Chairman Fly pointed out that many of the problems which appeared insurmountable to the members of the NAB Small Market Stations Committee, when they called on him nearly a year ago (June 10, 1943), have been solved in part at least.

The first question asked the Chairman was, "What will be the attitude of the FCC when a newspaper, owning the only AM outlet in the community, applies for an FM license and later for a television license?" The Chairman explained that no definite policies had been established to cover this situation and that it was something for the Commission to decide in the years ahead.

The second question covered the situation where an application for an FM license is filed by some individual or organization not now engaged in broadcasting and is immediately followed by the application of the AM broadcaster in that community for similar FM facilities—what will be the attitude of the FCC? The Chairman pointed out that he could not predict in advance the Commission's action on any application nor could he commit the Commission to any general policy. However, the pioneering work of the AM broadcaster is certainly a factor to be considered in his favor when the Commission considers two such applications. When asked "Would both applicants receive licenses?" the Chairman declared that that would not necessarily be the case; that economic factors and other conditions would be considered.

The third question dealt with the dual operation of AM and FM transmitters. Would the FCC require the licensee of an AM and an FM station, where both transmitters are located together, to maintain two chief engineers and two technical staffs? In reply, the Chairman pointed out that the FCC recognizes the economic problems of small market stations, and he believes that a reasonable policy would be to permit one chief engineer to handle both transmitters if they are located in close proximity to one another.

The fourth question sought to determine the attitude of the FCC toward the operation of small unattended booster stations in connection with an FM license. Pointing out that the present Commission rules prohibit this type of operation, the Chairman stated that the Commission wants to be reasonable about this and it may be necessary to change the present rules.

The fifth question dwelt on probable programming requirements in connection with an FM license issue to the operator of an AM transmitter. How much of the programming on the AM station could also be broadcast over the FM outlet? How much original programming would be required on the FM station? The Chairman cited the earlier requirement for a specified number of hours of original programming on all FM stations, adding that, as the war developed, this requirement was relaxed. He believes that, as time goes on, FM licensees will be required to do more and more original programming. He pointed out that small market station operators could draw on the high-fidelity recording and transcriptions that are available.

The sixth question acknowledged the fact that not all small market stations are putting out the highest possible quality signal because of a lack of new equipment. Recognizing that situation, should such stations wait for FM or clean up their present equipment as much and as rapidly as possible? The Chairman urged such stations to improve their present facilities as soon as possible, pointing out that they may have to rely on AM broadcasting for several years, since FM may be some time in reaching small markets.

The seventh question covered the possibility of making

more local channels available to improve the nighttime service of small market AM stations. The Chairman pointed out that that subject would have to be discussed with the FCC Engineering Department. He acknowledged that the present nighttime interference on some of the local channels represents a bad situation, but added that he did not know the final answer to the problem. He suggested that it might be possible to re-shuffle the channels and ask some of these stations to take new frequency assignments. He added that there would be a perfectly natural tendency to jam any new channels made available and that the situation, in the long run, might not be improved.

The last question dealt with a problem that faces many small market stations: Can such a station, with a composite transmitter that has deteriorated seriously, obtain a new transmitter? The Chairman replied in the affirmative, provided such action is necessary to maintain existing service. He stated that the FCC Engineering Department knows of a few that are available and has aided in obtaining new transmitters in a few emergency cases.

GENERAL VS. RETAIL RATES

A few instances have been reported recently where radio stations have charged the retail or local rate to national advertisers. This practice has been repeatedly condemned by the NAB Sales Managers Executive Committee.

In an effort to aid radio stations to distinguish between general and retail accounts, the Committee asked for definitions of the two prior to the NAB Convention in St. Louis in 1941. These were discussed at the NAB Sales Managers meeting, held in conjunction with the Convention, and the following definitions generally agreed upon:

1. The retail or local rate applies only to advertising by bona fide retailers who offer goods or services direct to the consumer at retail exclusively through outlets owned or rented by themselves.
2. The general or national rate applies to all advertising that does not qualify under the retail or local rate.

Where a radio station uses the retail or local rate to obtain national advertising on a competitive basis, that station indicates an amazing lack of confidence in its facilities at the proper rate and exhibits a definite lack of salesmanship. Such a policy is an open invitation to all national advertisers, using or contemplating the use of the station, to do so only if given the retail or local rate. Ever stop to think what that practice can and would do to your dollar volume—your ability to serve your listeners?

"DID YOU SAY PATENT MEDICINE?"

Recently issued by the Proprietary Association of America, the pamphlet entitled "Did You Say *Patent Medicine*?" contains a clear and concise explanation of the difference between *official* titles and *proprietary* products, continuing:

"The *proprietaries*, in turn, may be divided into two groups: First, those that are labeled and advertised for use by the physician or on his prescription—the *pharmaceuticals*; second, those that are adequately labeled so as to permit use in self-medication for minor ailments, and are accordingly advertised and sold to the public as *packaged medicines*."

The booklet points out that, while the members of the Proprietary Association are primarily engaged in the manufacture of packaged medicines, they are becoming increasingly important manufacturers of pharmaceuticals through subsidiaries and affiliates.

Explaining the relation of federal regulation of all types of medicines, the booklet states:

"Whatever their nomenclature and however they are advertised and sold, all medicinal products are subject to

precisely the same public controls. Whether they be *official* remedies, *pharmaceuticals* or *packaged medicines*, they come equally within the compass of the Federal Food, Drug and Cosmetic Act."

Interesting background on the derivation of the misnomer "Patent Medicines" is contained in the booklet, together with a reprint from *Time* magazine and the text of a letter written to *Editor & Publisher* by Dr. Frederick J. Cullen, Executive Vice-President of the Proprietary Association.

Copies of the booklet may be obtained at no cost by writing NAB headquarters.

RADIO FIGURES PROMINENTLY IN AD CLUB WAR PROJECTS

Radio's importance in the prosecution of the war on the home front was again revealed in the announcement yesterday of the winners of Awards for Advertising Club Achievement, presented annually by the Advertising Federation of America. A.F.A. headquarters advised NAB that club entries in this year's competition showed generous use of broadcasting in advertising, publicizing and promoting the war effort.

Awards are made each year to Advertising Clubs in two classifications, a first and second award being given to clubs in cities of under 300,000 population and a first and second award to clubs in cities of more than 300,000.

The first award to clubs in the smaller cities went to the Birmingham Advertising Club, Stanley M. Erdreich, president; Edward H. Hunvald, war advertising committee chairman. Second place was won by the Advertising Club of Springfield, Massachusetts, William R. Mason, president; Robert N. Fuller, war advertising committee chairman.

In cities of the larger population first place was won by the Milwaukee Advertising Club, Les Hafemeister, president; Einar Gaustad, war advertising committee chairman. Second place went to the Advertising Association of Houston, Thomas E. Hawkins, president; Robert Dundas, war advertising committee chairman.

The Philadelphia Club of Advertising Women received honorable mention in competition with clubs in the larger cities. The president is Lillian Cohen, the war advertising committee chairman, Viola I. Schlacks.

The awards were based upon reports and exhibits of work done the past year by the war advertising committees of the clubs with the cooperation of the Federation's national War Advertising Committee.

The following constituted the Jury of Awards: Edwin S. Friendly, vice president and general manager of The Sun, New York, chairman; Dorothy Shaver, vice president, Lord & Taylor, New York; Gardner Cowles, Jr., president, Register & Tribune Company, Des Moines; Don U. Bridge, advertising director, The Gannett Newspapers, Rochester, N. Y.; John Sterling, This Week Magazine and chairman of the Sponsorship Committee of the War Advertising Council, New York, and David Frederick, chief, Office of Program Coordination, Office of War Information, Washington, D. C.

The chairman of the Federation's national War Advertising Committee is Willard D. Egolf, NAB Director of Public Relations.

In making the awards, Mr. Friendly said that the Jury was favorably impressed with the soundness of organization of the war advertising committees, the originality of execution of their projects and the wide scope of activities covered.

CHILDREN'S PROGRAMS DISCUSSED

Mrs. Dorothy Lewis, NAB Coordinator of Listener Activity, participated in the conference on "What You Can

Do About Children's Radio Programs," sponsored by the Children's Program Committee of the Radio Council of New Jersey. The conference was held in Newark on Friday (May 26).

Grace M. Johnsen, Director of Women's and Children's Activities, of the Blue Network, spoke on the topic, "How You Can Help a Radio Station." Dorothy L. McFadden, President of Junior Programs, Inc., and Chairman of the New Jersey Children's Program Committee, made a report on the progress of that Committee. Mrs. Lewis spoke on "What Other Radio Councils Are Doing." "Music Children Like" was the topic of a talk by Oliver Daniel, Director, School of the Air Music Programs, CBS Music Division; while Harriet S. Adams, Editor of Stratemeyer Syndicate covered "Newscasts for Children."

Miss Catherine Gillespie, children's librarian of the Plainfield (N. J.) Public Library, spoke on "Radio and Children's Reading." "Dramatic Broadcasts for Children" was handled by Earle McGill, CBS Producer-Director.

The conference was one of the most successful of its type held and much of a constructive value in the improvement of children's programs was contributed.

NEBRASKA BROADCASTERS HOLD STATE MEETING

The annual meeting of the Nebraska Broadcasters Association was held in Hastings on Saturday (May 27). All stations in Nebraska had representatives at the meeting.

The following officers were elected for the ensuing year: President, Paul R. Fry, KBON, Omaha; Vice President, Lumir Urban, KORN, Fremont; Secretary-Treasurer, Art Thomas, WJAG, Norfolk.

Directors elected were Hugh Feltis, KFAB, Lincoln; Wick Heath, KMMJ, Grand Island, and John J. Gillin, Jr., WOW, Omaha.

Fremont was selected as the site of the next annual meeting. A resolution commending the work done by the Nebraska radio stations in the recent flood was adopted. It reads as follows:

"WHEREAS, during the period of the recent severe flood in Northeastern Nebraska, particularly in the Norfolk area, when great damage was done to property, and many lives were saved, by the quick and prompt work of Radio Station WJAG at Norfolk, assisted and helped by stations KOWH, KOIL and WOW at Omaha, and KFAB in Lincoln,

"THEREFORE, BE IT RESOLVED that we congratulate and compliment manager Art Thomas and his staff on WJAG and the staffs of stations KOWH, KOIL, WOW and KFAB, as an outstanding example of the public service radio may render in emergencies."

THREE STATIONS COMBINE TO PROMOTE KNOXVILLE MARKET

Good example of station cooperation is found in the current trade paper campaign being conducted jointly by stations WBIR, WNOX and WROL, all of Knoxville, Tennessee.

The series follows a Knoxville market theme, citing percentages on the city's growth, leading industries and post-war opportunities. All ads are signed by the three stations, using reverse blocks across the bottom of the page. No power or other station data is shown. Only the market is highlighted in copy such as the following, taken from *Broadcasting* of May 29:

*Our altitude is set . . . But
Our Market Is Soaring.*

Right! The Knoxville market is still soaring. Take advantage of this steady, healthy growth of prosperous city-farm areas. And . . . at the same time, remember that you can expect big returns from your post-war plan-

ning in the Knoxville market, for large industries have been located in this area to benefit from the TVA low cost and plentiful power. Include Knoxville in *your* plans. According to Sales Management's "Retail Sales and Services Forecast for June 1944," with June 1943 as a base of 100%, Knoxville showed an increase to 160% . . . still leading the nation.

Other market statistics are featured in the joint ads, full pages.

ARMY ET HAS WIDE ACCEPTANCE

Are you receiving "Voice of the Army," Army's weekly dramatic 15-minute series?

This is the Army's official transcribed program offered stations without charge and played weekly by approximately 800 stations. It has continued to enjoy wide listener popularity since inception.

Stations not on the list for this show should write:

U. S. Army,
Officer in Charge,
Recruiting Publicity Bureau,
Governors Island, New York

RELAY STATION BROADCAST LICENSES ADJUSTED

The Federal Communications Commission acted on May 30 to amend Section 4.3(b) of its Rules governing Broadcast Services Other Than Standard, so as to increase the license period of relay broadcast stations from two to three years and make expiration dates of relay broadcast station licenses as nearly as possible the same as expiration dates of the licenses of the broadcast stations with which they are used. (There are a few cases where a relay broadcast station is licensed for the use of two standard broadcast stations. In such cases, a license for each station will be issued.)

Section 4.3(b) as amended reads:

"Section 4.3—*License Period: Renewal*—

(a) * * *

(b) Licenses for relay broadcast and special relay broadcast stations authorized under section 4.22 of the Rules and Regulations will be issued for a period running concurrently with the license of the broadcast station with which it is to be used.

(c) * * *

(d) * * *

At the same time the Commission amended Section 3.404(a) stating the requirements for program and operating log entries by the licensee of each broadcast station, by adding a fourth requirement "(4) An entry showing, for each program of network origin, the name of the network originating the program."

ROCK ISLAND PERMITS GRANTED

The Commission granted the applications filed by the Chicago, Rock Island and Pacific Railway Company for four construction permits for experimental Class 2 radio stations to be used in conducting tests of radio communication under actual operating conditions in the railroad yards and on trains of the permittee in Chicago and west to Lincoln, Nebraska. The Chicago, Rock Island and Pacific Railway Company has informed the Commission that an actual program of experimentation will be undertaken to develop factual information regarding the use of very high frequency circuits and systems as a means of providing communication between the following points in railroad service:

1. End-to-end of trains
2. Two-way yard-to-trains, engines or cabooses
3. Two-way yard-to-yard
4. Two-way dispatcher-to-trains, engines or cabooses
5. Two-way brakeman or flagman-to-trains, engines or cabooses

Radiotelegraph and radiotelephone emission is authorized, including the use of both amplitude modulation and frequency modulation. Frequencies authorized are within the bands 30 to 40 megacycles and 100 to 400 megacycles, with a maximum power of 10 watts.

Since these stations will be operated at fixed locations, as well as on moving trains, it was necessary for the applicant to request construction permits, inasmuch as stations on railroad rolling stock only may be licensed without the stations having been previously authorized under construction permits.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 5th. They are subject to change.

Monday, June 5

WABI—Community Broadcasting Service, Bangor, Maine.—Modification of C. P. (under C. P.), **910 kc.**, 5 KW, unlimited (DA-night).

WABI—Community Broadcasting Service, Bangor, Maine.—Renewal of license, **1230 kc.**, 250 watts, unlimited.

Wednesday, June 7

Oral Argument Before the Commission

REPORT No. B-198:

KSJB—Jamestown Broadcasting Company, Inc., Jamestown, N. Dak.—Modification of license, **600 kc.**, 250 watts, unlimited.

Oral Argument Before the Commission

REPORT No. B-200:

WMAM—M & M Broadcasting Company, Marinette, Wis.—Modification of license, **570 kc.**, 100 watts night, 250 watts day, unlimited.

Thursday, June 8

WGKV—Kanawha Valley Broadcasting Company, Charleston, W. Va.—Renewal of license, **1490 kc.**, 100 watts, unlimited.

WGKV—Worth Kramer, Transferor, Eugene R. Custer and Richard M. Venable, Transferees, Charleston, W. Va.—Relinquishment of control of Kanawha Valley Broadcasting Co. (WGKV), **1490 kc.**, 100 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WCOL—Kenneth B. Johnston (Transferor), Lloyd A. Pixley and Martha P. Pixley (jointly) and Milton A. Pixley and Grace M. Pixley (jointly), (Transferees), WCOL, Inc., (Licensee), Columbus, Ohio.—Granted consent to transfer control of WCOL, Inc., licensee of station WCOL, from Kenneth B. Johnston to Lloyd A. Pixley and Martha P. Pixley (jointly) and Milton A. Pixley and Grace M. Pixley (jointly), by transfer of 250 shares, or 100% of the issued and outstanding capital stock of the licensee, for a total consideration of \$250,000 (B2-TC-376).

WOSH—Oshkosh Broadcasting Co. (Assignor), Myles H. Johns, William F. Johns, Jr., William F. Johns and Frederick W. Renshaw, d/b as Oshkosh Broadcasting Co., a Partnership, Oshkosh, Wis.—Granted consent to voluntary assignment of license of Oshkosh Broadcasting Co., licensee of station WOSH, to Myles H. Johns, William F. Johns, Jr., William F. Johns and Frederick W. Renshaw, d/b as Oshkosh Broadcasting Co. No monetary consideration involved, the purpose is to change licensee from a corporation to a partnership (B4-AL-406).

KTMS—News-Press Publishing Co., Santa Barbara, Calif.—Granted special service authorization to permit broadcasting information to longshoremen at 2:30 p. m., PST daily and Sunday, as a public service without charge, from June 2 to August 1, 1944 (B5-SSA-107).

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Granted extension of special service authorization to operate on **660 kc.**, 10 KW power, unlimited time, for the period ending May 1, 1945 (B-SSA-105).

WIBC—H. G. Wall, Margaret B. Wall and Thelma M. Lohnes (Transferors), Indianapolis News Publishing Co. (Transferee), Indiana Broadcasting Corp. (Licensee), Indianapolis, Ind.—Granted consent to voluntary transfer of control of Indiana Broadcasting Corp., licensee of station WIBC, from H. G. Wall, Margaret B. Wall and Thelma M. Lohnes, to Indianapolis News Publishing Co., for a consideration of \$440,000, for 1000 shares of capital stock, plus \$2 per share for each 30 days between date of agreement (February 16, 1944) and the date upon which actual transfer of shares of stock to transferee occurs (B4-TC-368).

KOMO-KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Denied petition for extension of licenses for such periods as may be necessary to enable petitioner to complete negotiations to comply with multiple ownership rule, and designated said applications for hearing.

WICA—WICA, Inc., Ashtabula, Ohio; WWSW—WWSW, Inc., Pittsburgh, Pa.—Granted petition insofar as it requests reinstatement of applications for construction permits for increased facilities on **970 kc.**, and designated same for consolidated hearing.

KLRA—Arkansas Broadcasting Co. (Licensee), A. L. Chilton (Transferor), Gazette Publishing Co. (Transferee), Little Rock, Ark.; and KGHI, Arkansas Broadcasting Co. (Licensee and Assignor), A. L. Chilton and Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service (Assignee), Little Rock, Ark.—Granted consent to acquisition of control of Arkansas Broadcasting Co., licensee of station KLRA, from A. L. Chilton by the transfer of 2400 shares, or approximately 64.5% of the issued and outstanding capital stock, to the Gazette Publishing Co., for a consideration of \$275,000. Granted consent to voluntary assignment of license of station KGHI from the Arkansas Broadcasting Co. (Licensee and Assignor) to A. L. Chilton and Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service, in return for which Chilton will surrender all his remaining 348 shares of stock in Arkansas Broadcasting Co. (B3-TC-377); (B3-AL-411).

LICENSE RENEWALS GRANTED

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted renewal of license (B3-R-575).

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Granted renewal of license for main and auxiliary transmitter (B4-R-985).

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Granted renewal of license (Commissioner Durr dissenting), (B2-R-277).

KXOK—Star-Times Publishing Co., St. Louis, Mo.—Granted renewal of license (B4-R-982).

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted renewal of license for main and auxiliary transmitter (B1-R-265).

WDEV—Lloyd E. Squier and William G. Ricker, d/b as Radio Station WDEV, Waterbury, Vt.—Granted renewal of license (B1-R-799).

KMTR—KMTR Radio Corp., Hollywood, Calif.—Present license extended for a period of 30 days (B5-R-17).

KIEV—Cannon System, Ltd., Glendale, Calif.—Present license extended for a period of 30 days (B5-R-816).

- KLZ—KLZ Broadcasting Co., Denver, Colo.—Present license extended for a period of 30 days (B5-R-110).
- Blue Network Company, Inc.—Granted extension of authority to transmit programs to stations CFCF, Montreal, and CBL, Toronto, and other Canadian broadcasting stations (B1-FP-121).
- KXOX—George Bennitt, Russell Bennitt, James H. Beall, Jr., Joe H. Boothe, R. M. Simmons, H. M. Rogers, C. R. Simmons, Harley Sadler, Maynette Doscher, individually and as executrix for J. H. Doscher (transferors), Wendell Mayes, J. S. McBeath and Mittie Agnes McBeath (transferees), Sweetwater Radio, Inc. (licensee), Sweetwater, Texas.—Granted consent to transfer of control of Sweetwater Radio, Inc., licensee of station KXOX, from the 9 present stockholders to Wendell Mayes, J. S. McBeath and Mittie Agnes McBeath, by the transfer of 100 per cent of issued and outstanding capital stock for a total consideration of \$27,646.48 (B3-TC-364).
- KQV—KQV Broadcasting Company, Pittsburgh, Pa.; WJAS, Pittsburgh Radio Supply House, Pittsburgh, Pa.—Granted 30-day extension from May 31, 1944, of effective date of Section 3.35, insofar as stations KQV and WJAS are concerned.
- WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Granted 30-day extension of license.
- KGW—KEX—Oregonian Publishing Co., Portland, Ore.—Granted 90-day extension from May 31, 1944, of effective date of Section 3.35, insofar as stations KGW and KEX are concerned. Granted extension of license of station KGW for 90 days.
- Utica Observer Dispatch, Inc., Utica, N. Y.—Granted petition only insofar as it requests reinstatement of application (B1-P-2702) for new station to operate on 1450 kc., 250 watts, unlimited time, and designated same for further hearing in connection with Midstate Radio Corp. application.
- Midstate Radio Corp., Utica, N. Y.—Granted petition only insofar as it requests reinstatement of application (B1-P-3171) for new station to operate on 1450 kc., 250 watts, unlimited time; to be heard in connection with Utica Observer Dispatch, Inc., application.
- The Finger Lakes Broadcasting System (Gordon P. Brown, Owner), Geneva, N. Y.; WARC, Inc., Rochester, N. Y.; Rochester Broadcasting Corp., Rochester, N. Y.; Seneca Broadcasting Corp., Rochester, N. Y.—Designated for consolidated hearing, in connection with application of WARC, Inc., Rochester Broadcasting Corp., and the Seneca Broadcasting Corp., all requesting the frequency 1240 kc., 250 watts, for a new station in Rochester and Geneva, N. Y.
- WHJB—Pittsburgh Radio Supply House, Greensburg, Pa.—Granted renewal of license for the period beginning June 1, 1944 (B2-R-835).
- Evening News Press, Inc., Port Angeles, Wash.—Granted petition to reinstate and grant conditionally application for construction permit for new standard station to operate on 1450 kc., 250 watts, unlimited time, in accordance with January 26, 1944, policy; engineering conditions.
- KOIN—KOIN, Inc., Portland, Oregon; KALE—KALE, Inc., Portland, Oregon.—Granted petition for postponement of effective date of Section 3.35 insofar as stations KOIN and KALE are concerned until August 1, 1944.
- KHQ—Louis Wasmer, Inc., Spokane, Wash.; KGA, Louis Wasmer, Spokane, Wash.—Denied petition for extension of licenses of stations KHQ and KGA for such periods as may be necessary to enable the petitioners to comply with Section 3.35 with respect to multiple ownership; designated for hearing applications for renewal of licenses.
- WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Granted renewal of license for period beginning June 1, 1944 (Commissioner Craven not participating).
- KOY—Salt River Valley Broadcasting Co., Phoenix, Arizona.—Granted renewal of license for period beginning June 1, 1944.
- WCLE—United Broadcasting Co., Cleveland, Ohio.—Granted extension of present license for a period of 6 months, to December 1, 1944.
- WREC—Hoyt B. Wooten, d/b as WREC Broadcasting Service, Memphis, Tenn.—Granted 30-day extension of license for main and auxiliary transmitters.
- KFDM—Beaumont Broadcasting Corp., Beaumont, Texas.—Granted 30-day extension of license.
- KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted 30-day extension of license.
- KGKO—KGKO Broadcasting Co., Ft. Worth, Texas; WBAP, Carter Publications, Inc., Ft. Worth, Texas; WFAA, A. H. Belo Corp., Dallas, Texas.—Designated for hearing applications for renewal of licenses of stations KGKO, WBAP and WFAA.
- WAIT—Radio Station WAIT, Chicago, Ill.—Denied petition for grant of regular license; designated for hearing application for renewal of license.
- WIS—Surety Life Insurance Co., Columbia, S. C.—Granted renewal of license for the period beginning June 1, 1944.
- WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Designated for hearing application for renewal of license (B2-R-715).
- WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Granted extension of license for a period of 30 days.
- WILM—Delaware Broadcasting Co., Wilmington, Del.—Granted 60-day extension of effective date of Section 3.35 and 60-day extension of license of station WILM.
- Granted renewal of following station licenses for the period beginning June 1, 1944, and ending not later than May 1, 1946:
- KGMB and auxiliary, Honolulu, T. H.; KOH, Reno, Nevada; KVID, Denver, Colo.; WAGA, Atlanta, Ga.; WAGE, Syracuse, N. Y.; WCAO, Baltimore, Md.; WFIL and auxiliary, Philadelphia, Pa.; WIAC, Hato Rey, P. R.; WIP and auxiliary, Philadelphia, Pa.; WKBN, Youngstown, Ohio; WMAM, Marinette, Wisc.; WMBS and auxiliary, Uniontown, Pa.; WMCA and auxiliary, New York, N. Y.; WSJS, Winston-Salem, N. C.; WEAU, Eau Claire, Wisc.; WEEI, Boston, Mass.; WICC, Bridgeport, Conn.; WIOD and auxiliary, Miami, Fla.; WKRC, Cincinnati, Ohio.
- Granted extension of following station licenses upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than August 1, 1944:
- KDAL, Duluth, Minn.; KGFX, Pierre, S. D.; KROD, El Paso, Texas; KTAR, Phoenix, Ariz.; KTSA, San Antonio, Texas; KVI, Tacoma, Wash.; WCAX, Burlington, Vt.; WEAN, Providence, R. I.; WGAN and auxiliary, Portland, Maine; WKAQ and auxiliary, San Juan, P. R.; WMT, Cedar Rapids, Iowa; WSUN, St. Petersburg, Fla.; WCAO (auxiliary only), Baltimore, Md.; KDRO, Sedalia, Mo.; KWKH, Shreveport, La.; WATL, Atlanta, Ga.; WGTC, near Greenville, N. C.; WHN and auxiliary, New York, N. Y.; WIBG, Glenside, Pa.; WING, Dayton, Ohio; WPRa, Mayaguez, P. R.; WQXR and auxiliary, New York, N. Y.; WWDC and synchronous amplifier, Washington, D. C.
- KFAA—J. Q. Floyd, John Thomas Franklin and Sam Anderson, d/b as The Helena Broadcasting Co., Helena, Ark.—Granted renewal of license for the period ending not later than December 1, 1945.
- WHB—WHB Broadcasting Co., Kansas City, Mo.—Granted renewal of license for main and auxiliary for the period ending not later than November 1, 1946.
- WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted extension of license for a period of 60 days, for main and auxiliary transmitters.
- KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Granted extension of license for a period of 30 days.
- KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Granted extension of license for a period of 30 days.
- KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Granted further extension of license for a period of 60 days.
- KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Granted further extension of license for a period of 60 days.
- WJJD—WJJD, Inc., Chicago, Ill.—Granted further extension of license for a period of 60 days.
- WNEW and auxiliary.—Greater New York Broadcasting Corp., New York, N. Y.—Granted further extension of license for a period of 60 days.
- KFAB—KFAB Broadcasting Co., Lincoln, Nebraska.—Granted further extension of license for a period of 60 days.
- WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted further extension of license for a period of 60 days.
- Granted extension of authority to Capital Broadcasting Co., licensee of station WWDC, Washington, D. C., for waiver of Sections 2.53 and 13.61 of the Commission's Rules so as to permit operation of the synchronous amplifier of Station WWDC by remote control from the main transmitter location, for the period June 1 and ending not later than August 1, 1944, upon the same terms and conditions as the existing authorization for such operation.

Granted renewal of following high frequency (FM) licenses for period ending not later than June 1, 1945: WABF, New York, N. Y.; WDLN, Chicago, Ill.; WSBF (regular license), South Bend, Ind.

WGYN—Muzak Radio Broadcasting Station, Inc., New York, N. Y.—Granted renewal of license of high frequency station for period ending May 1, 1945.

W2XWE—WOKO, Inc., Albany, N. Y. (facsimile).—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event beyond August 1, 1944.

W2XEO—Capital Broadcasting Co., Inc., Schenectady, N. Y. (ST station).—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event beyond August 1, 1944.

MISCELLANEOUS

WGST—Georgia School of Technology, Atlanta, Ga.—Granted construction permit to make changes in transmitting equipment and increase maximum rated carrier power output of auxiliary transmitter from 1 to 2½ KW (B3-P-3611).

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Granted construction permit to install a Gates-American Type 250-A transmitter to be used as an auxiliary with power of 250 watts (B4-P-3597).

WILL—University of Illinois, Urbana, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1594).

WLIR—WFAM, Inc., area of Lafayette, Ind.—Granted license to cover construction permit for new relay broadcast station to be used with applicant's standard station WASK; frequencies, 30820, 33740, 35820 and 37980 kc., 15 watts power (B4-LRE-431).

ALFCO Company, St. Louis, Mo.—Placed in pending file, in accordance with Commission policy of February 23, 1943, the application for new commercial television broadcast station (B4-PCT-43).

International Detrola Corp., Detroit, Mich.—Placed in pending file, in accordance with Commission policy of February 23, 1943, the application for new commercial television broadcast station (B2-PCT-44).

KSOO-KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. D.—Designated for hearing petition requesting a finding that the multiple ownership rule is inapplicable to these stations; Commissioner Craven not participating.

WEEU—Berks Broadcasting Co., Reading, Pa.; WRAW, Reading Broadcasting Co., Reading, Pa.—Denied petition to extend the effective date of Section 3.35 for a period of six months from May 31, 1944, insofar as stations WEEU and WRAW are concerned; designated for hearing applications for renewal of licenses; Commissioner Craven not participating.

WMPS—Memphis Broadcasting Co., Memphis, Tenn.; WMC, Memphis Publishing Co., Memphis, Tenn.—Denied petition for postponement of the effective date of Section 3.35 to December 1, 1944, insofar as stations WMPS and WMC are concerned; designated for hearing application for renewal of license of station WMC and auxiliary (B3-R-477).

APPLICATIONS FILED AT FCC

1030 Kilocycles

NEW—Queen City Broadcasting Co., Inc., Boise, Idaho.—Construction permit for a new standard broadcast station to be operated on 1030 kc., 1 KW power and unlimited hours of operation. Amended: to change frequency to 690 kc., install directional antenna for night use and change transmitter site.

KELO—Sioux Falls Broadcast Assn., Sioux Falls, S. Dak.—Construction permit to install a new antenna.

WESX—North Shore Broadcasting Co., Marblehead, Mass.—Modification of license to change location of the main studio from Marblehead, Mass., to Salem, Mass.

1240 Kilocycles

NEW—E. E. Murrey, Tony Sudekum, Harben Daniel and J. B. Fuqua, a partnership, d/b as Tennessee Broadcasters, Nash-

ville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Penna.—Authority to determine operating power by direct measurement of antenna power.

1250 Kilocycles

WREN—The WREN Broadcasting Co., Lawrence, Kansas.—Construction permit to increase power from 1 KW night, 5 KW daytime to 5 KW day and night, move transmitter from Tonganoxie, Kansas, to Topeka, Kansas, and studio from Lawrence, Kansas, to Topeka, Kansas, install directional antenna for day and night use.

1340 Kilocycles

WINX—WINX Broadcasting Co., Washington, D. C.—Transfer of control of licensee corporation from Lawrence J. Heller, Agnes W. Heller, Agnes W. Heller as Trustee, and Richard K. Lyon to Eugene Meyer & Company, a partnership composed of Eugene Meyer and Agnes Meyer, d/b as The Washington Post.

NEW—The Elm City Broadcasting Corp., New Haven, Conn.—Construction permit for a new standard broadcast station to be operated on 1340 kc., 250 watts power and unlimited hours of operation.

WCBI—Birney Imes, Jr., Columbus, Miss.—Authority to determine operating power by direct measurement of antenna power.

1400 Kilocycles

WDEF—Joe W. Engel, Chattanooga, Tenn.—Voluntary assignment of license to WDEF Broadcasting Company.

WJLD—J. Leslie Doss, Bessemer, Ala.—Voluntary assignment of license to George Johnston.

1420 Kilocycles

NEW—Broadcasting Corporation of America, North of Brawley, Calif.—Construction permit for a new standard broadcast station to be operated on 1420 kc., power of 1 KW and unlimited hours of operation. Amended: to specify a transmitter site and change studio site.

1460 Kilocycles

KINY—Edwin A. Kraft, Juneau, Alaska.—Construction permit for reinstatement of construction permit (B-P-3089 as modified) for increase in power from 1 KW to 5 KW, installation of new transmitter and changes in antenna.

1470 Kilocycles

NEW—Calcasieu Broadcasting Co., T. B. Lanford, R. M. Dean and L. M. Sepaugh, Lake Charles, La.—Construction permit to change frequency from 1490 kc. to 1470 kc., increase power from 250 watts to 1 KW, install new transmitter and make changes in antenna.

1490 Kilocycles

NEW—Southern Tier Radio Service, Inc., Binghamton, N. Y.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation (facilities of WOLF).

1540 Kilocycles

NEW—Standard News Assn., Patchogue, New York.—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 1 KW and unlimited hours of operation.

FM APPLICATIONS

NEW—WHAW, Bremer Broadcasting Corp., Jersey City, N. J.—Modification of construction permit (B1-PH-72) which authorized construction of a new high frequency (FM) broadcast station for move of transmitter and extension of commencement and completion dates. Amended: to change studio location from Jersey City to Newark, New Jersey.

- NEW—WCAE, Inc., Pittsburgh, Penna.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45500 kc.** with coverage of 8,650 square miles.
- NEW—L. B. Wilson, Inc., Cincinnati, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45900 kc.** with coverage of 13,700 square miles.
- NEW—The Ohio Broadcasting Co., Canton, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46100 kc.** with coverage of 8,499 square miles.
- NEW—Doughty and Welch Electric Co., Inc., Fall River, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47300 kc.** with coverage of 2,120 square miles.
- NEW—O. E. Richardson, Fred L. Adair, Robert C. Adair, d/b as Radio Station WJOB, Hammond, Ind.—Construction permit for a new high frequency broadcast (FM) station to be operated on **49900 kc.** with coverage of 2,241 square miles.
- NEW—Hearst Radio, Inc., New York, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48700 kc.** with coverage of 8,570 square miles.

TELEVISION APPLICATION

- NEW—William B. Still, trading as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Construction permit for a new experimental television broadcast station to be operated on Channel #3 (**66000-72000 kc.**), A3 emission for visual and special for aural, power of 250 watts (1000 watts peak) for visual and 250 watts for aural. Amended: to request Channel #13 (**230000-236000 kc.**), 100 watts (400 watts peak) for visual and 100 watts for aural and change in name.

MISCELLANEOUS APPLICATIONS

- NEW—Columbia Broadcasting System, Inc., area of New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **156075, 157575, 159975, 161925 kc.**, power of 0.5 watts, A3 emission.
- NEW—WLBV, Larus and Brother Co., Inc., Richmond, Va.—License to cover (B2-PRY-275) construction permit, which authorized construction of a new relay broadcast station.
- NEW—WLBX, Larus and Brother Co., Inc., Richmond, Va.—License to cover (B2-PRY-277) construction permit, which authorized construction of a new relay broadcast station.
- NEW—The Board of Education of the School District of the City of Detroit, Detroit, Mich.—Construction permit for a new noncommercial educational broadcast station to be operated on **42700 kc.**, power of 1 KW, special emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Ketchikan Packing Company—A complaint has been issued charging Ketchikan Packing Co., Ketchikan, Alaska, and William H. Stanley, Inc., 103 East 125th Street, New York, with violation of the brokerage section of the Robinson-Patman Act in connection with the sale and purchase of canned salmon in interstate commerce. (5164)

Maryland Glass & Mirror Company, 1834 South Charles Street, Baltimore, is charged in a complaint with selling Grade B

window glass as Grade A to purchasers who have ordered and paid for the higher grade. (5165)

World Publishing Company—A complaint has been issued charging The World Publishing Company, 2231 West 110th St., Cleveland, with misrepresentation in the sale of Webster's Universal Unabridged Dictionary, Florentine DeLuxe Edition. (5163)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Flag Pet Food Corporation, 108 South Street, New York City, stipulated that in the dissemination of advertisements of Flag Dog Food it will stop representing that the preparation contains meat. (03216)

S. Oldman, Inc., 130 West 30th Street, New York, stipulated that in connection with the sale of furs and fur garments it will discontinue using in advertisements, invoices or labeling the word "Mouton" to designate products made from lamb peltries unless compounded with the true common English name of the fur, for example, "Mouton-Dyed Lamb"; the word "Lapin" to describe products made from rabbit peltries unless compounded with the true common English name of the fur, for example, "Lapin-Dyed Rabbit"; or the word "Beaver" or any term of like meaning, either alone or in combination with other words, to refer to furs or fur garments made from rabbit peltries or any peltries other than beaver, unless such word or term is compounded with the word "Dyed" and immediately followed in equally conspicuous type by the true name of the fur. (3841)

Radiator Specialty Company, 1700 Dowd Road, Charlotte, N. C., engaged in selling a gasoline additive agent designated "Nu-Power," stipulated that it will cease and desist from representing that the preparation has any effect upon the normal fuel value or energy of gasoline; that the results which might be expected through its use amount to a 25 percent or any other definite increase in mileage; or that it keeps spark plugs clean and eliminates gas knocks or motor "ping." (03215)

Sears, Roebuck & Company, Chicago, entered into a stipulation to discontinue representing in advertising matter that the medicinal preparation it sells under the name "Super-Kaps" will (1) beneficially affect the process of digestion except to the extent that faulty digestion may be known to be due to an insufficient intake of vitamin B₁; (2) prevent infection or help build resistance to colds and coughs unless expressly limited to those instances in which bodily resistance is lowered due to an insufficient intake of vitamin A; (3) correct nervous conditions or be of any value for nervousness except where such conditions may be known to be due to a lack of vitamin B₁ in the diet; or (4) beautify the user. (03214)

FTC CASES DISMISSED

A complaint against Mary Booth Powell, trading as Superior Hatchery, Windsor, Mo., alleging misrepresentation in the sale of baby chicks, has been dismissed by the Federal Trade Commission because of the death of the respondent.

The Commission has also dismissed its complaint charging Blue Ridge Coal Co., Inc., 1212 West North Ave., Baltimore, Md., with misrepresentation in the sale of coal.

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